

amendment No. 630 intended to be proposed to S. 1186, an original bill making appropriations for energy and water development for the fiscal year ending September 30, 2000.

#### AMENDMENT NO. 631

At the request of Mr. LAUTENBERG his name was added as a cosponsor of amendment No. 631 intended to be proposed to S. 1186, an original bill making appropriations for energy and water development for the fiscal year ending September 30, 2000.

#### AMENDMENT NO. 637

At the request of Mr. LEVIN, the names of the Senator from Minnesota (Mr. WELLSTONE) and the Senator from Ohio (Mr. DEWINE), were added as cosponsors of amendment No. 637 proposed to S. 1186, an original bill making appropriations for energy and water development for the fiscal year ending September 30, 2000.

### SENATE RESOLUTION 123—TO AUTHORIZE REPRESENTATION OF MEMBERS OF THE SENATE

Mr. DASCHLE submitted the following resolution; which was considered and agreed to:

#### S. RES. 123

Whereas, in the case of *Candis O. Ray v. John Edwards, et al.*, Case No. 99-CV-1104-EGS, pending in the United States District Court for the District of Columbia, the plaintiff has named as defendants Senator Trent Lott and Senator John Edwards;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is directed to represent Senator Lott and Senator Edwards in the case of *Candis O. Ray v. John Edwards, et al.*

### AMENDMENTS SUBMITTED

### SOCIAL SECURITY AND MEDICARE SAFE DEPOSIT BOX ACT OF 1999

### DOMENICI AMENDMENTS NOS. 663–664

(Ordered to lie on the table.)

Mr. DOMENICI submitted two amendments intended to be proposed by him to the bill (H.R. 1259) to amend the Congressional Budget Act of 1974 to protect Social Security surpluses through strengthening budgetary enforcement mechanisms; as follows:

#### AMENDMENT NO. 663

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Social Security Safe Deposit Box Act of 1999”.

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the Congress and the President joined together to enact the Balanced Budget Act of 1997 to end decades of deficit spending;

(2) strong economic growth and fiscal discipline have resulted in strong revenue growth into the Treasury;

(3) the combination of these factors is expected to enable the Government to balance its budget without the Social Security surpluses;

(4) the Congress has chosen to allocate in this Act all Social Security surpluses toward saving Social Security;

(5) amounts so allocated are even greater than those reserved for Social Security in the President's budget, will not require an increase in the statutory debt limit, and will reduce debt held by the public until Social Security reform is enacted; and

(6) this strict enforcement is needed to lock away the amounts necessary for legislation to save Social Security.

(b) PURPOSE.—It is the purpose of this Act to prohibit the use of Social Security surpluses for any purpose other than Social Security.

#### SEC. 3. PROTECTION OF SOCIAL SECURITY SURPLUSES.

(a) POINTS OF ORDER TO PROTECT SOCIAL SECURITY SURPLUSES.—Section 312 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

“(g) POINTS OF ORDER TO PROTECT SOCIAL SECURITY SURPLUSES.—

“(1) CONCURRENT RESOLUTIONS ON THE BUDGET.—It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or conference report thereon or amendment thereto, that would set forth an on-budget deficit for any fiscal year.

“(2) OTHER LEGISLATION.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

“(A) the enactment of that bill or resolution as reported;

“(B) the adoption and enactment of that amendment; or

“(C) the enactment of that bill or resolution in the form recommended in that conference report,

would cause or increase an on-budget deficit for any fiscal year.

“(3) EXCEPTION.—The point of order set forth in paragraph (2) shall not apply to Social Security reform legislation as defined by section 5(c) of the Social Security Safe Deposit Box Act of 1999.

“(4) DEFINITION.—For purposes of this section, the term ‘on-budget deficit’, when applied to a fiscal year, means the deficit in the budget as set forth in the most recently agreed to concurrent resolution on the budget pursuant to section 301(a)(3) for that fiscal year.”

(b) CONTENT OF CONCURRENT RESOLUTION ON THE BUDGET.—Section 301(a) of the Congressional Budget Act of 1974 is amended by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively, and by inserting after paragraph (5) the following new paragraph:

“(6) the receipts, outlays, and surplus or deficit in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, combined, established by title II of the Social Security Act;”

(c) SUPER MAJORITY REQUIREMENT.—(1) Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting “312(g),” after “310(d)(2),”.

(2) Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting “312(g),” after “310(d)(2),”.

#### SEC. 4. REMOVING SOCIAL SECURITY FROM BUDGET PRONOUNCEMENTS.

(a) IN GENERAL.—Any official statement issued by the Office of Management and Budget, the Congressional Budget Office, or any other agency or instrumentality of the Federal Government of surplus or deficit totals of the budget of the United States Government as submitted by the President or of the surplus or deficit totals of the congressional budget, and any description of, or reference to, such totals in any official publication or material issued by either of such Offices or any other such agency or instrumentality, shall exclude the outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act (including the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund) and the related provisions of the Internal Revenue Code of 1986.

(b) SEPARATE SOCIAL SECURITY BUDGET DOCUMENTS.—The excluded outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act shall be submitted in separate Social Security budget documents.

#### SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—This Act shall take effect upon the date of its enactment and the amendments made by this Act shall apply only to fiscal year 2000 and subsequent fiscal years.

(b) EXPIRATION.—Sections 301(a)(6) and 312(g) of the Congressional Budget Act of 1974 shall expire upon the enactment of Social Security reform legislation that significantly extends the solvency of the Social Security trust funds.

(c) SOCIAL SECURITY REFORM LEGISLATION.—The term “Social Security reform legislation” means a bill or a joint resolution that—

(1) significantly extends the solvency of the Social Security trust funds; and

(2) includes a provision stating the following: “For purposes of the Social Security Safe Deposit Box Act of 1999, this Act constitutes Social Security reform legislation.”.

#### AMENDMENT NO. 664

Strike all after the first word and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Social Security Safe Deposit Box Act of 1999”.

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the Congress and the President joined together to enact the Balanced Budget Act of 1997 to end decades of deficit spending;

(2) strong economic growth and fiscal discipline have resulted in strong revenue growth into the Treasury;

(3) the combination of these factors is expected to enable the Government to balance its budget without the Social Security surpluses;

(4) the Congress has chosen to allocate in this Act all Social Security surpluses toward saving Social Security;

(5) amounts so allocated are even greater than those reserved for Social Security in the President's budget, will not require an increase in the statutory debt limit, and will reduce debt held by the public until Social Security reform is enacted; and

(6) this strict enforcement is needed to lock away the amounts necessary for legislation to save Social Security.

(b) **PURPOSE.**—It is the purpose of this Act to prohibit the use of Social Security surpluses for any purpose other than Social Security.

### SEC. 3. PROTECTION OF SOCIAL SECURITY SURPLUSES.

(a) **POINTS OF ORDER TO PROTECT SOCIAL SECURITY SURPLUSES.**—Section 312 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

“(g) **POINTS OF ORDER TO PROTECT SOCIAL SECURITY SURPLUSES.**—

“(1) **CONCURRENT RESOLUTIONS ON THE BUDGET.**—It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or conference report thereon or amendment thereto, that would set forth an on-budget deficit for any fiscal year.

“(2) **OTHER LEGISLATION.**—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

“(A) the enactment of that bill or resolution as reported;

“(B) the adoption and enactment of that amendment; or

“(C) the enactment of that bill or resolution in the form recommended in that conference report,

would cause or increase an on-budget deficit for any fiscal year.

“(3) **EXCEPTION.**—The point of order set forth in paragraph (2) shall not apply to Social Security reform legislation as defined by section 5(c) of the Social Security Safe Deposit Box Act of 1999.

“(4) **DEFINITION.**—For purposes of this section, the term ‘on-budget deficit’, when applied to a fiscal year, means the deficit in the budget as set forth in the most recently agreed to concurrent resolution on the budget pursuant to section 301(a)(3) for that fiscal year.”.

(b) **CONTENT OF CONCURRENT RESOLUTION ON THE BUDGET.**—Section 301(a) of the Congressional Budget Act of 1974 is amended by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively, and by inserting after paragraph (5) the following new paragraph:

“(6) the receipts, outlays, and surplus or deficit in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, combined, established by title II of the Social Security Act;”.

(c) **SUPER MAJORITY REQUIREMENT.**—(1) Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting “312(g),” after “310(d)(2).”.

(2) Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting “312(g),” after “310(d)(2).”.

### SEC. 4. REMOVING SOCIAL SECURITY FROM BUDGET PRONOUNCEMENTS.

(a) **IN GENERAL.**—Any official statement issued by the Office of Management and Budget, the Congressional Budget Office, or any other agency or instrumentality of the Federal Government of surplus or deficit totals of the budget of the United States Government as submitted by the President or of the surplus or deficit totals of the congressional budget, and any description of, or reference to, such totals in any official publication or material issued by either of such Offices or any other such agency or instrumentality, shall exclude the outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act (including the Federal Old-Age

and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund) and the related provisions of the Internal Revenue Code of 1986.

(b) **SEPARATE SOCIAL SECURITY BUDGET DOCUMENTS.**—The excluded outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act shall be submitted in separate Social Security budget documents.

### SEC. 5. EFFECTIVE DATE.

(a) **IN GENERAL.**—This Act shall take effect upon the date of its enactment and the amendments made by this Act shall apply only to fiscal year 2000 and subsequent fiscal years.

(b) **EXPIRATION.**—Sections 301(a)(6) and 312(g) of the Congressional Budget Act of 1974 shall expire upon the enactment of Social Security reform legislation that significantly extends the solvency of the Social Security trust funds.

(c) **SOCIAL SECURITY REFORM LEGISLATION.**—The term “Social Security reform legislation” means a bill or a joint resolution that—

(1) significantly extends the solvency of the Social Security trust funds; and

(2) includes a provision stating the following: “For purposes of the Social Security Safe Deposit Box Act of 1999, this Act constitutes Social Security reform legislation.”.

### KENNEDY AMENDMENT NO. 665

(Ordered to lie on the table.)

Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill, H.R. 1259, supra; as follows:

On page 4, strike lines 6 through 10.

On page 6, strike beginning with line 11 through the end of the bill.

### MOYNIHAN AMENDMENT NO. 666

(Ordered to lie on the table.)

Mr. MOYNIHAN submitted an amendment intended to be proposed by him to the bill, H.R. 1259, supra; as follows:

Add the following paragraph to new section 312(g):

“(5) **EXCEPTION FOR LOW ECONOMIC GROWTH AND WAR.**—

“(A) **LOW ECONOMIC GROWTH.**—If the most recent of the Department of Commerce’s advance, preliminary, or final reports of actual real economic growth indicate that the rate of real economic growth for each of the most recently reported quarter and the immediately preceding quarter is less than 1 percent, the points of order established by this subsection are suspended.

“(B) **WAR.**—If a declaration of war is in effect, the points of order established by this subsection are suspended.

### MCCAIN AMENDMENTS NO. 667–668

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, H.R. 1259, supra; as follows:

#### AMENDMENT NO. 667

At the end of the bill, add the following:

### TITLE II—PROTECTING AND PRESERVING THE SOCIAL SECURITY TRUST FUNDS

#### SEC. 201. SHORT TITLE.

This title may be cited as the “Protecting and Preserving the Social Security Trust Funds Act”.

### SEC. 202. FINDINGS.

Congress finds that—

(1) the \$69,246,000,000 unified budget surplus achieved in fiscal year 1998 was entirely due to surpluses generated by the social security trust funds and the cumulative unified budget surpluses projected for subsequent fiscal years are primarily due to surpluses generated by the social security trust funds;

(2) Congress and the President should not use the social security trust funds surpluses to balance the budget or fund existing or new non-social security programs;

(3) all surpluses generated by the social security trust funds must go towards saving and strengthening the social security system; and

(4) at least 62 percent of the on-budget (non-social security) surplus should be reserved and applied to the social security trust funds.

### SEC. 203. PROTECTION OF THE SOCIAL SECURITY TRUST FUNDS.

(a) **PROTECTION BY CONGRESS.**—

(1) **REAFFIRMATION OF SUPPORT.**—Congress reaffirms its support for the provisions of section 13301 of the Budget Enforcement Act of 1990 that provides that the receipts and disbursements of the social security trust funds shall not be counted for the purposes of the budget submitted by the President, the congressional budget, or the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) **PROTECTION OF SOCIAL SECURITY BENEFITS.**—Balances in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall be used solely for paying social security benefit payments as promised to be paid by law.

(b) **POINTS OF ORDER.**—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

“(j) **SOCIAL SECURITY POINT OF ORDER.**—It shall not be in order in the Senate to consider a concurrent resolution on the budget, an amendment thereto, or a conference report thereon that violates section 13301 of the Budget Enforcement Act of 1990.

“(k) **SOCIAL SECURITY SURPLUS PROTECTION POINT OF ORDER.**—It shall not be in order in the Senate to consider a concurrent resolution on the budget, an amendment thereto, or a conference report thereon that would cause or increase an on-budget deficit for any fiscal year.

“(l) **SUBSEQUENT LEGISLATION.**—

“(1) **IN GENERAL.**—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

“(A) the enactment of the bill or resolution as reported;

“(B) the adoption and enactment of that amendment; or

“(C) the enactment of the bill or resolution in the form recommended in the conference report;

would cause or increase an on-budget deficit for any fiscal year.

“(2) **EXCEPTION TO POINT OF ORDER.**—This subsection shall not apply to social security reform legislation that would protect the social security system from insolvency and preserve benefits as promised to beneficiaries.”.

(c) **SUPERMAJORITY WAIVER AND APPEAL.**—Subsections (c)(1) and (d)(2) of section 904 of the Congressional Budget Act of 1974 are amended by striking “305(b)(2),” and inserting “301(j), 301(k), 301(l), 305(b)(2)”.

### SEC. 204. SEPARATE BUDGET FOR SOCIAL SECURITY.

(a) **EXCLUSION.**—The outlays and receipts of the social security program under title II

of the Social Security Act, including the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund and the related provisions of the Internal Revenue Code of 1986, shall be excluded from—

(1) any official documents by Federal agencies regarding the surplus or deficit totals of the budget of the Federal Government as submitted by the President or of the surplus or deficit totals of the congressional budget; and

(2) any description or reference in any official publication or material issued by any other agency or instrumentality of the Federal Government.

(b) **SEPARATE BUDGET.**—The outlays and receipts of the social security program under title II of the Social Security Act, including the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund and the related provisions of the Internal Revenue Code of 1986, shall be submitted as a separate budget.

#### SEC. 205. PRESIDENT'S BUDGET.

Section 1105(f) of title 31, United States Code, is amended by striking "in a manner consistent" and inserting "in compliance".

### TITLE III—SAVING SOCIAL SECURITY FIRST

#### SEC. 301. DESIGNATION OF ON-BUDGET SURPLUS.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, not less than the amount referred to in subsection (b) for a fiscal year shall be reserved for and applied to the social security trust funds for that fiscal year in addition to the surpluses generated by the trust funds.

(b) **AMOUNT RESERVED.**—The amount referred to in this subsection is—

- (1) for fiscal year 2001, \$6,820,000,000;
- (2) for fiscal year 2002, \$36,580,000,000;
- (3) for fiscal year 2003, \$31,620,000,000;
- (4) for fiscal year 2004, \$42,160,000,000;
- (5) for fiscal year 2005, \$48,980,000,000;
- (6) for fiscal year 2006, \$71,920,000,000;
- (7) for fiscal year 2007, \$83,080,000,000;
- (8) for fiscal year 2008, \$90,520,000,000; and
- (9) for fiscal year 2009, \$102,300,000,000.

#### SEC. 302. SENSE OF THE SENATE ON DEDICATING ADDITIONAL SURPLUS AMOUNTS.

It is the sense of the Senate if the budget surplus in future years is greater than the currently projected surplus, serious consideration should be given to directing more of the surplus to strengthening the social security trust funds.

#### AMENDMENT NO. 668

At the end of the bill, add the following:

### TITLE II—ELIMINATION OF SOCIAL SECURITY EARNINGS TEST

#### SEC. 201. SHORT TITLE.

This title may be cited as the "Older Americans Freedom to Work Act".

#### SEC. 202. ELIMINATION OF EARNINGS TEST FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

(a) **IN GENERAL.**—Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c)(1), by striking "the age of seventy" and inserting "retirement age (as defined in section 216(1))";

(2) in paragraphs (1)(A) and (2) of subsection (d), by striking "the age of seventy" each place it appears and inserting "retirement age (as defined in section 216(1))";

(3) in subsection (f)(1)(B), by striking "was age seventy or over" and inserting "was at or above retirement age (as defined in section 216(1))";

(4) in subsection (f)(3)—

(A) by striking "33½ percent" and all that follows through "any other individual," and

inserting "50 percent of such individual's earnings for such year in excess of the product of the exempt amount as determined under paragraph (8)."; and

(B) by striking "age 70" and inserting "retirement age (as defined in section 216(1))";

(5) in subsection (h)(1)(A), by striking "age 70" each place it appears and inserting "retirement age (as defined in section 216(1))"; and

(6) in subsection (j)—

(A) in the heading, by striking "Age Seventy" and inserting "Retirement Age"; and

(B) by striking "seventy years of age" and inserting "having attained retirement age (as defined in section 216(1))".

(b) **CONFORMING AMENDMENTS ELIMINATING THE SPECIAL EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.**—

(1) **UNIFORM EXEMPT AMOUNT.**—Section 203(f)(8)(A) of the Social Security Act (42 U.S.C. 403(f)(8)(A)) is amended by striking "the new exempt amounts (separately stated for individuals described in subparagraph (D) and for other individuals) which are to be applicable" and inserting "a new exempt amount which shall be applicable".

(2) **CONFORMING AMENDMENTS.**—Section 203(f)(8)(B) of the Social Security Act (42 U.S.C. 403(f)(8)(B)) is amended—

(A) in the matter preceding clause (i), by striking "Except" and all that follows through "whichever" and inserting "The exempt amount which is applicable for each month of a particular taxable year shall be whichever";

(B) in clauses (i) and (ii), by striking "corresponding" each place it appears; and

(C) in the last sentence, by striking "an exempt amount" and inserting "the exempt amount".

(3) **REPEAL OF BASIS FOR COMPUTATION OF SPECIAL EXEMPT AMOUNT.**—Section 203(f)(8)(D) of the Social Security Act (42 U.S.C. (f)(8)(D)) is repealed.

(c) **ADDITIONAL CONFORMING AMENDMENTS.**—

(1) **ELIMINATION OF REDUNDANT REFERENCES TO RETIREMENT AGE.**—Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(A) in subsection (c), in the last sentence, by striking "nor shall any deduction" and all that follows and inserting "nor shall any deduction be made under this subsection from any widow's or widower's insurance benefit if the widow, surviving divorced wife, widower, or surviving divorced husband involved became entitled to such benefit prior to attaining age 60."; and

(B) in subsection (f)(1), by striking clause (D) and inserting the following: "(D) for which such individual is entitled to widow's or widower's insurance benefits if such individual became so entitled prior to attaining age 60.".

(2) **CONFORMING AMENDMENT TO PROVISIONS FOR DETERMINING AMOUNT OF INCREASE ON ACCOUNT OF DELAYED RETIREMENT.**—Section 202(w)(2)(B)(ii) of the Social Security Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended—

(A) by striking "either"; and

(B) by striking "or suffered deductions under section 203(b) or 203(c) in amounts equal to the amount of such benefit".

(3) **PROVISIONS RELATING TO EARNINGS TAKEN INTO ACCOUNT IN DETERMINING SUBSTANTIAL GAINFUL ACTIVITY OF BLIND INDIVIDUALS.**—The second sentence of section 223(d)(4)(A) of the Social Security Act (42 U.S.C. 423(d)(4)(A)) is amended by striking "if section 102 of the Senior Citizens' Right to Work Act of 1996 had not been enacted" and inserting the following: "if the amend-

ments to section 203 made by section 102 of the Senior Citizens' Right to Work Act of 1996 and by the Senior Citizens' Freedom to Work Act of 1999 had not been enacted".

(d) **EFFECTIVE DATE.**—The amendments and repeals made by this section shall apply with respect to taxable years ending after December 31, 1998.

### TITLE III—PROTECTING AND PRESERVING THE SOCIAL SECURITY TRUST FUNDS

#### SEC. 301. SHORT TITLE.

This title may be cited as the "Protecting and Preserving the Social Security Trust Funds Act".

#### SEC. 302. FINDINGS.

Congress finds that—

(1) the \$69,246,000,000 unified budget surplus achieved in fiscal year 1998 was entirely due to surpluses generated by the social security trust funds and the cumulative unified budget surpluses projected for subsequent fiscal years are primarily due to surpluses generated by the social security trust funds;

(2) Congress and the President should not use the social security trust funds surpluses to balance the budget or fund existing or new non-social security programs;

(3) all surpluses generated by the social security trust funds must go towards saving and strengthening the social security system; and

(4) at least 62 percent of the on-budget (non-social security) surplus should be reserved and applied to the social security trust funds.

#### SEC. 303. PROTECTION OF THE SOCIAL SECURITY TRUST FUNDS.

(a) **PROTECTION BY CONGRESS.**—

(1) **REAFFIRMATION OF SUPPORT.**—Congress reaffirms its support for the provisions of section 13301 of the Budget Enforcement Act of 1990 that provides that the receipts and disbursements of the social security trust funds shall not be counted for the purposes of the budget submitted by the President, the congressional budget, or the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) **PROTECTION OF SOCIAL SECURITY BENEFITS.**—Balances in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall be used solely for paying social security benefit payments as promised to be paid by law.

(b) **POINTS OF ORDER.**—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

"(j) **SOCIAL SECURITY POINT OF ORDER.**—It shall not be in order in the Senate to consider a concurrent resolution on the budget, an amendment thereto, or a conference report thereon that violates section 13301 of the Budget Enforcement Act of 1990.

"(k) **SOCIAL SECURITY SURPLUS PROTECTION POINT OF ORDER.**—It shall not be in order in the Senate to consider a concurrent resolution on the budget, an amendment thereto, or a conference report thereon that would cause or increase an on-budget deficit for any fiscal year.

"(l) **SUBSEQUENT LEGISLATION.**—

"(1) **IN GENERAL.**—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

"(A) the enactment of the bill or resolution as reported;

"(B) the adoption and enactment of that amendment; or

"(C) the enactment of the bill or resolution in the form recommended in the conference report;

would cause or increase an on-budget deficit for any fiscal year.

“(2) EXCEPTION TO POINT OF ORDER.—This subsection shall not apply to social security reform legislation that would protect the social security system from insolvency and preserve benefits as promised to beneficiaries.”.

(c) SUPERMAJORITY WAIVER AND APPEAL.—Subsections (c)(1) and (d)(2) of section 904 of the Congressional Budget Act of 1974 are amended by striking “305(b)(2),” and inserting “301(j), 301(k), 301(l), 305(b)(2)”.

#### SEC. 304. SEPARATE BUDGET FOR SOCIAL SECURITY.

(a) EXCLUSION.—The outlays and receipts of the social security program under title II of the Social Security Act, including the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund and the related provisions of the Internal Revenue Code of 1986, shall be excluded from—

(1) any official documents by Federal agencies regarding the surplus or deficit totals of the budget of the Federal Government as submitted by the President or of the surplus or deficit totals of the congressional budget; and

(2) any description or reference in any official publication or material issued by any other agency or instrumentality of the Federal Government.

(b) SEPARATE BUDGET.—The outlays and receipts of the social security program under title II of the Social Security Act, including the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund and the related provisions of the Internal Revenue Code of 1986, shall be submitted as a separate budget.

#### SEC. 305. PRESIDENT'S BUDGET.

Section 1105(f) of title 31, United States Code, is amended by striking “in a manner consistent” and inserting “in compliance”.

#### TITLE IV—SAVING SOCIAL SECURITY FIRST

##### SEC. 401. DESIGNATION OF ON-BUDGET SURPLUS.

(a) IN GENERAL.—Notwithstanding any other provision of law, not less than the amount referred to in subsection (b) for a fiscal year shall be reserved for and applied to the social security trust funds for that fiscal year in addition to the surpluses generated by the trust fund.

(b) AMOUNT RESERVED.—The amount referred to in this subsection is—

- (1) for fiscal year 2001, \$6,820,000,000;
- (2) for fiscal year 2002, \$36,580,000,000;
- (3) for fiscal year 2003, \$31,620,000,000;
- (4) for fiscal year 2004, \$42,160,000,000;
- (5) for fiscal year 2005, \$48,980,000,000;
- (6) for fiscal year 2006, \$71,920,000,000;
- (7) for fiscal year 2007, \$83,080,000,000;
- (8) for fiscal year 2008, \$90,520,000,000; and
- (9) for fiscal year 2009, \$102,300,000,000.

##### SEC. 402. SENSE OF THE SENATE ON DEDICATING ADDITIONAL SURPLUS AMOUNTS.

It is the sense of the Senate if the budget surplus in future years is greater than the currently projected surplus, serious consideration should be given to directing more of the surplus to strengthening the social security trust funds.

#### GRAMM AMENDMENT NO. 669

(Ordered to lie on the table.)

Mr. GRAMM submitted an amendment intended to be proposed by him to the bill, H.R. 1259, *supra*; as follows:

On page 4, line 8, strike “or Medicare reform legislation”.

#### DOMENICI AMENDMENT NO. 670

(Ordered to lie on the table.)

Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill, H.R. 1259, *supra*; as follows:

At the appropriate place insert the following:

#### SEC. \_\_\_\_ PROTECTION OF SOCIAL SECURITY SURPLUSES IN THE PRESIDENT'S BUDGET.

(a) IN GENERAL.—Chapter 11 of subtitle II of title 31, United States Code, is amended by inserting before section 1101 the following:

##### “§1100. Protection of social security surpluses

“The budget of the United States Government submitted by the President under this chapter shall not recommend an on-budget deficit for any fiscal year covered by that budget.”.

(b) CHAPTER ANALYSIS.—The chapter analysis for chapter 11 of title 31, United States Code is amended by inserting before the item for section 1101 the following:

“1100. Protection of social security surpluses.”.

#### NOTICES OF HEARINGS

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI, Mr. President, for the information of the Senate, on Tuesday, June 22, 1999, the Committee on Energy and Natural Resources, the Committee on Armed Services, the Committee on Governmental Affairs, and the Select Committee on Intelligence will hold a joint hearing to receive testimony from the President's Foreign Intelligence Advisory Board regarding its report to the President: Science at Its Best; Security at Its Worst: A Report on Security Problems at the U.S. Department of Energy. The hearing will be held in room 106 of the Dirksen Senate Office Building, and will begin at 9:30 a.m.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI, Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Energy and Natural Resources Committee.

The purpose of the hearing is to explore the effectiveness of existing federal and industry efforts to promote distributed generating technologies, including solar, wind, fuel cells and microturbines, as well as regulatory and other barriers to their widespread use.

The hearing will take place on Tuesday, June 22, 1999, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Energy Research, Development, Production and Regulation,

Committee on Energy and Natural Resources, U.S. Senate, 364 Dirksen Senate Office Building, Washington, DC, 20510-6150.

For further information, please call Katharina Kroll or Colleen Deegan, Counsel, at (202) 224-8115.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI, Mr. President, for the information of the Senate on June 29 and July 1, 1999, the Committee on Energy and Natural Resources will hold hearings on S. 161, the Power Marketing Administration Reform Act of 1999, S. 282, the Transition to Competition in the Electric Industry Act, S. 516, the Electric Utility Restructuring Empowerment and Competitiveness Act of 1999, and S. 1047, the Comprehensive Electricity Competition Act. The hearings will be held in room 216 of the Hart Senate Office Building, and will begin at 9:30 a.m. For additional information you may write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. MCCAIN, Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Tuesday, June 15, 1999, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### JOINT ECONOMIC COMMITTEE

Mr. MCCAIN, Mr. President, I ask unanimous consent to conduct a hearing of the Joint Economic Committee in Hart 216 beginning at 9:35 a.m., on June 15.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON FOREST AND PUBLIC LAND MANAGEMENT

Mr. MCCAIN, Mr. President, I ask unanimous consent that the Subcommittee on Forest and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, June 15, for purposes of conducting a hearing which is scheduled to begin at 2:30 p.m. The purpose of this oversight hearing is to receive testimony on issues related to vacating the Record of Decision and denial of a plan of operations for the Crown Jewel Mine in Okanogan County, WA.

The PRESIDING OFFICER. Without objection, it is so ordered.